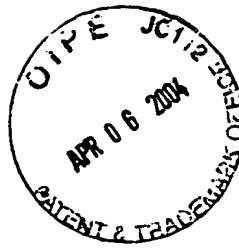


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I hereby certify that this paper and all papers and fees referred to herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shaylor E. Dunn



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hamilton

Group Art Unit: 3624

**Serial No.: 09/590,486**

Examiner: Karmis, S.

Filed: June 8, 2000

Docket No.: 1521/3

Confirmation No.: 1098

For: SYSTEMS, METHODS AND COMPUTER PROGRAM PRODUCTS FOR  
PRODUCING NARRATIVE FINANCIAL ANALYSIS REPORTS

\*\*\*\*\*

DECLARATION OF PRIOR INVENTION PURSUANT TO 37 C.F.R. § 1.131

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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APR 14 2004

Sir.


**GROUP 3600**

I, Brian Hamilton, hereby declare as follows:

1. I am the sole inventor of the claims of U.S. patent application no. 09/590,486 filed June 8, 2000, which relates to systems, methods, and computer program products for producing narrative financial analysis reports.
2. I am the Chief Executive Officer of Sageworks, Inc., which markets an embodiment of the invention claimed in the above-referenced U.S. patent application as the ProfitCents<sup>TM</sup> software.

3. I have reviewed the claims of the patent application, and I conceived of the invention defined in those claims at least as early as July 7, 1998, as evidenced by the following documents, copies of which are attached hereto:
  - (a) Consulting contract dated June 7, 1998 between Sageworks, Inc. and Triangle Business Software for development of the ProfitCents<sup>TM</sup> software, and
  - (b) Narrative financial analysis report and sample input data dated September 2, 1998.
4. Addendum A of the attached consulting contract dated July 7, 1998 includes a flow chart which details the operation of the ProfitCents<sup>TM</sup> software as claimed in the claims of the subject U.S. patent application. For example, the flow chart includes steps for receiving company information, calculating financial indicators, selecting text based on the company information and the financial indicators, and generating a report.
5. I was the originator of the flow chart in Addendum A of the consulting contract dated July 7, 1998.
6. The attached report dated September 2, 1998 is an example of a narrative financial analysis report generated using version 1 of the ProfitCents<sup>TM</sup> software created pursuant to the consulting contract and completed at least as early as September 1998.
7. Sageworks, Inc. worked continuously with Triangle Business Software from July 7, 1998 until the invention was reduced to practice by completing version 1 of the ProfitCents<sup>TM</sup> software at least as early as September 1998.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this Declaration is directed.

By:   
Brian Hamilton

Date: 4/6/04